NOTICE OF PUBLIC HEARINGS ON AN
ENVIRONMENTAL IMPACT REPORT

Notice is hereby given that the Planning Commission of the City of San José will hold a Public Hearing on **Wednesday, July 27, 2005**, **at 6:00 p.m**., in the Council Chambers, on the second floor of City Hall, at 801 North First Street, San Jose, California (Old City Hall), to certify that the Final Environmental Impact Report (EIR) prepared for the project identified below has been completed in compliance with the California Environmental Quality Act (CEQA). Furthermore, in the event of an appeal of the Planning Commission's certification of the Final EIR, there will be a public hearing before the City Council of the City of San Jose on **Tuesday, August 23, 2005 at 7:00 p.m.** at 200 East Santa Clara Street, San José, CA (New City Hall) on an appeal of the Final Environmental Impact Report.

These Public Hearings will be held in accordance with Title 21 of the San José Municipal Code, during and before which all persons interested in the matter shall be given a reasonable opportunity to be heard. You are welcome to attend and to speak on this issue. If you choose to challenge the decision on this Environmental Impact Report in court, you may be limited to only those issues you, or someone else, raised and discussed at the Public Hearing or in written correspondence delivered to the City at or prior to the Public Hearing. These public hearings will be held at the dates and times stated above, in the Council Chambers, on the second floor of City Hall, at 801 North First Street, San Jose, California.

The project being considered is: **FINAL ENVIRONMENTAL IMPACT REPORT** for the 47 Notre Dame Residential Project. The project proposes the construction of a 22-story, 350-unit residential condominium and a separate six-story mixed-use commercial/residential building with 35 residential condominium units and approximately 8,000 square feet of ground floor retail/commercial uses on a site bounded by Almaden Blvd., Notre Dame St., Carlysle St., and West Santa Clara St., adjacent to the De Anza Hotel. The project proposes to remove the existing buildings on site, including the Palomar Ballroom (Tropicana Club).   **File No.: H04-050**. Council District: 3.

The Final Environmental Impact Report, including the City's responses to comments received during the Public Review Period (May 27, 2005 to June 27, 2005), is available for review beginning July 13, 2005, on Monday, Wednesday, and Friday from 9:00 a.m. to 5:00 p.m., and on Tuesday and Thursday from 10:00 a.m. to 5:00 p.m. at the Department of Planning, Building and Code Enforcement, 801 North First Street, Room 400, San José and on the Internet at http://www.sanjoseca.gov/planning/eir/eir.htm. The certification of the Final EIR may be appealed in writing by any person prior to 5:00 p.m. on **Monday, August 1, 2005**. Such appeal shall be filed on the appropriate form and accompanied by filing fees at the Department of Planning, Building and Code Enforcement and shall include a statement specifying the basis of the appeal. It should be noted that the certification of a Final EIR does not constitute approval of the project for which it was prepared. The decision to approve or deny the project will be made separately as required by City Ordinance.

To arrange an accommodation under the Americans With Disabilities Act to participate in this public meeting, please call (408) 277-4576 (VOICE) or (408) 998-5299 at least 48 hours before the meeting. Comments and questions regarding the EIR are welcome and should be referred to **Michael Rhoades** of the Department of Planning, Building and Code Enforcement (408) 277-4576 or by email at Michael.Rhoades@sanjoseca.gov. For your convenience, contact **Olga Guzman** at the same telephone number the week of the Public Hearing to verify that this item will be heard and is not scheduled for deferral to a later date.

Stephen M. Haase, AICP
Director, Planning, Building and Code Enforcement

_____

Jodie Clark, Senior Planner
Date: July 6, 2005